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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/842,089	04/26/2001	Jae Kyung Lee	P-221	6949

34610 7590 12/27/2004

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EXAMINER

NATNAEL, PAULO S M

ART UNIT PAPER NUMBER

2614

DATE MAILED: 12/27/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/842,089

Applicant(s)

LEE ET AL.

Examiner

Paulos M. Natnael

Art Unit

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 October 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-8,10,11 and 13-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-8,10,11,13-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn. However, after further consideration, the claims are rejected as in the following. Thus, this is a non-final rejection.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims **1,3-8,10** are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 1, the claimed "...an OSD generation program which corresponds to an OSD set menu selected by a user from a plurality of user OSD set menus stored in the storing unit" is not clear whether it is referring to the same "OSD generation program" "OSD set menu", as previously mentioned elsewhere in the claim, rendering the claim indefinite.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims **1, 3-8, 10** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Bril**, U.S. Pat. No. **5,946,051** *in view of* **Suga** et al. U.S. Pat. No. **6,215,467**.

Considering claim **1**, the claimed TV having an OSD (On Screen Display) function, comprising

a) a service site server configured to provide a user OSD set menu and an OSD generation program which corresponds to original information of a TV..., is met by the disclosure in col. 5, lines 50-53 that "Network interface 110 receives data corresponding to a network application such as web-browsing, electronic mail in a known way. The data may be received in one of known formats such as ASCII, HTML, VRML etc. " (see also the Abstract) The data, as is well known in the art, is received from a remote computer server.

b) a control unit configured to receive the user OSD set menu and OSD generation program from the service site server and to generate a corresponding OSD, is met by OSD controller 170, FIG. 1; (see col. 5, lines 57 through col. 6, lines 16)

Art Unit: 2614

c) a video processing unit configured to display the OSD generated by the control unit on a screen, is met by the display panel interface 145 and display 150, fig.1; (see also col.7, lines 7-20)

e) a storing unit for storing the original information, contact information for contacting to the service site server, and an OSD generation program corresponding to the original information,...and to store an OSD generation program which corresponds to an OSD set menu selected by a user from a plurality of user OSD set menus stored in the storing unit is met by Memory module 180, fig. 1; (see col. 5, lines 57 through col. 6, lines 16)

f) wherein the control unit is configured to contact the service site server using the contact information, stored in the storing unit, is met by the disclosure discloses "in one embodiment, the display entities include network application data (representative of external data applications a user may wish to use), television signal, pointer, and low resolution data (e.g., to display status messages on TV 100). Web browsing application is an example of a network application. However, the word network application as used here can include other applications accessed by point-to-point communication path also." (col. 7, line 63 to col. 8, line 3)

Except for;

d) wherein the OSD generation program is configured to provide a plurality of language selections and a plurality of viewing and display processing format selections;

Regarding d), Bril on col. 1, lines 49-60 discloses that "...the system may need to be designed to appropriately process the different forms/formats in which the signals of the network applications and television signal are received. For example, a television signal may be received in interlaced format (e.g., composite television signal in NTSC format) and the network application data may be received in a non-interlaced format... Thus, what is needed is a method and apparatus which addresses such problems and provides a user the ability to access network applications from a television system in a cost-effective manner." [emphasis added by examiner]. It is clearly implied here that the network application data may include video signal from the Internet, etc.

Bril does not specifically disclose plurality of language selections. However, this is well known in the art. In this regard, Suga et al. discloses a display control apparatus and method having a plurality of different display modes, and language selection processing. Suga teaches OSD display example in Figs. 22-24 and 29 where a language or languages can be selected as desired by the user. Suga specifically teaches English and Japanese languages being alternatively selected. Therefore, it would have been obvious to the skilled in the art at the time the invention was made to modify the system of Bril et al by providing the language selections menu of Suga et al in order to make the system of Bril more useful for the user by giving the end-user more choices.

Art Unit: 2614

Considering claim 3, the TV having the OSD (On Screen Display) function according to claim 1, wherein the service site server contacts to the control unit through a network interface unit, is met by Network 110, fig.1;

Considering claim 4, wherein the plurality of viewing format selections comprise a plurality of aspect ratios, and wherein the plurality of display processing formats comprises at least NTSC and PAL, is met by the disclosure "The set top box generates a composite video signal (e.g. in NTSC or PAL formats) representative of network application data. This composite video signal is usually displayed on the entire television screen similar to a signal received from a video camera recorder/player (VCR/VCP). (see col. 4, lines 35-40)

Considering claim 5, wherein the user OSD set menu is configured to allow a user to select a user request language from the plurality of language selections provided by the OSD generation program and to select a user format from the plurality of viewing and display processing format selections provided by the OSD generation program.

See rejection of claims 1 (d) and 4 above.

Considering claim 6, wherein the format comprises at least one of a display processing type format and an aspect ratio format.

Regarding claim 6, see rejection of claim 4 above

Art Unit: 2614

Considering claim 7, wherein the original information comprises at least a model name or a model number of the TV.

Regarding claim 7, the combination of Bril et al and Suga et al as modified above does not specifically disclose whether the information comprises a model name or a model number of the TV. However, the Examiner takes Official Notice in that Notice in that storing information such as a model name or number received or retrieved from a remote network server in a memory is well known in the art where a model # or name would be entered on a prompt or line of a website, for example, and the desired information is retrieved from a remote server. Therefore, it would have been obvious to the skilled in the art at the time the invention was made to modify the system of Bril by providing the information of the TV model number in order for the user identify and retrieve the desired product efficiently.

Considering claim 8, wherein the contact information comprises a URL (Uniform Resource Locator).

Regarding claim 8, the combination of Bril et al and Suga et al as modified above does not specifically disclose a URL. However, again the Examiner takes Official Notice in that using the URL to obtain information from a remote network server as indicated in the rejection of claim 7 for example is well known in the art and, therefore, it would have been obvious to the skilled in the art at the time the invention was made to modify the system by providing a URL so that the user would be able to obtain the desired information easily and more reliably.

Considering claim **10**, the system according to claim 9, wherein the control unit is configured to receive and an operation order signal input by a user, to access the OSD generation program stored in the storing unit, and to generate an OSD based on the operation order signal, is met by the disclosure that the "TV system enables a user to view...as well as to access data network applications. (see abstract)

6. Claim **11, and 13-17** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Bril**, U.S. Pat. No. **5,946,051**.

Considering claim **11**, Bril discloses the following claimed subject matter, not;
a) a control method of a TV having an OSD (On Screen Display) function, comprising receiving a user OSD set menu which corresponds to original information of the TV by contacting to a service site server when an OSD set key signal is generated; receiving an OSD generation program which corresponds to a user request OSD menu; and generating a user OSD which reflects a user selected language and user selected viewing and display processing formats corresponding to an operation order signal by accessing the OSD generation program when the operation order signal is input by a user.

Regarding a), see rejection of claim 1 (a)-(d).

Except for;

Art Unit: 2614

e) Wherein receiving the user OSD set menu comprises uploading the original information of the TV by contacting to the service site server, and receiving a user OSD set menu which corresponds to the uploaded original information;

Regarding e), Bril discloses the capability of web browsing and manipulating network application data. In other words, "enabling a user to access data network applications (e.g., internet network browsing) from a television system". Bril does not specifically disclose uploading the original information of the TV for whatever reason. However, it would have been obvious to the skilled in the art at the time the invention was made to modify the system of Bril et al by utilizing providing the web browsing capability to upload any desired signals in order to obtain a precise corresponding data, instead of simply requesting such a data.

Considering claim 13, the claimed wherein generating the user OSD comprises updating a former OSD generation program with the received OSD, and generating an OSD which corresponds to the operation order signal by using the updated OSD generation program, is met by the disclosure "The display entities are stored in separate portions of the memory module. Such a storage enables the individual display entities to be modified (or defined) independently. As a result, the display of each display entity can be modified without necessarily impacting or being impacted by display of other display entities. For example, to achieve a scroll operation of the network application data, only the bit map of the network application data in the memory module needs to

Art Unit: 2614

be updated. The display entitles are then overlayed prior to display in accordance with the presentation." (col. 2, lines 9-17) [emphasis added]

[Note: updating a program such as an operating system, etc., by downloading from a remote server or broadcaster is well known in the art]

Considering claim 14, wherein the original information comprises at least a model name or a model number of the TV.

Regarding claim 14, see rejection of claim 7.

Considering claim 15, wherein the OSD generation program comprises a plurality of language selections and a plurality of viewing an display processing format selections.

Regarding claim 15, see rejection of claim 1 (d).

Considering claim 16, wherein further comprising selecting a user request language from the plurality of language selections provided by the OSD generation program, and selecting a user request format from a plurality of viewing an display processing format selections provided by the OSD generation program.

Regarding claim 16, See rejection of claim 1 (d).

Considering claim 17, the control method of the TV having the OSD (On Screen Display) function according to claim 16, wherein the plurality of viewing an display

Art Unit: 2614

processing format selections comprises a plurality of aspect ratios, and wherein plurality of viewing an display processing format selections comprises at least NTSC and PAL;

Regarding claim 17, see rejection of claim 4.

Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paulos M. Natnael whose telephone number is (703) 305-0019. The examiner can normally be reached on 9:00am - 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Miller can be reached on (703) 305-4795. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

PMN
December 21, 2004



PAULOS M. NATNAEL
PATENT EXAMINER